# TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

September 18, 2012

Mr. Luis Suguiyama, Acting Branch Chief
Document Processing Desk (EMEX)
Office of Pesticide programs (7504P)
U.S. Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 South Crystal Drive
Arlington, Virginia 22202-4501
Suguiyama.Luis@epa.gov
(703) 305-6027

Subject: Request for Section 18 Quarantine Exemption for Fipronil formulated as Termidor® SC (EPA Reg. No. 7969-210) for the control of the Rasberry crazy ant around structures in Texas.

Dear Mr. Suguiyama:

The Texas Department of Agriculture (TDA) hereby submits an application for a quarantine exemption to authorize the use of fipronil, formulated as Termidor® SC (EPA Reg. No. 7969-210), for the control of the "rasberry crazy ant" species (*Paratrechina* spp. nr. *pubens*). The current label allows treatments to be made 1 foot up on the outside of the structure and 1 foot out from the base of the structure. This modification allows the treatment to extend up to 3 feet high on the structure and 10 feet of sod out from the foundation of the structure. It also allows for the treatment of mounds or next by direct treatment.

This is the second time TDA has submitted this request. The current quarantine exemption expires on October 21, 2012. This ant continues to spread throughout Southeastern and Central Texas. Currently, twenty-three (23) counties are infested with this pest. Polk County was identified as the 23rd positive county on September 4, 2012. This identification was made after a letter of support for this registration was received from Dr. Roger Gold, Professor and Endowed Chair for the Center for Urban and Structural Entomology at Texas A&M University.

TDA hereby requests a quarantine exemption to allow the use of Termidor® SC for 3 years. The requirements of 40 CFR 166.20(a, c) along with supporting information are attached for your

review. Thank you for your attention to this serious problem and for expediting the approval of this application.

Sincerely yours,

David Kostroun
Chief Administrator for Agriculture and Consumer Protection

DK/DS/ds

## SECTION 166.20(a)(1): IDENTITY OF CONTACT PERSONS

**(i)** This application to the Administrator of the Environmental Protection Agency (EPA) for a Section 18 quarantine exemption to authorize the use of fipronil (Termidor® SC Termiticide/Insecticide) around structures and on sod within 10 feet of structures to control crazy ant species is submitted by the Texas Department of Agriculture. Any questions related to this request should be addressed to:

Dale R. Scott
Texas Department of Agriculture
Coordinator for Pesticide Product Evaluation and Registration
P.O. Box 12847
Austin, Texas 78711
Phone (512) 936-2535
Fax (888) 216-9860
Email: dale.scott@TexasAgriculture.gov

**(ii)** The following qualified expert is available to answer questions:

Roger E. Gold, Ph.D.
Professor & Endowed Chair
Center for Urban & Structural Entomology
2143 Texas A&M University
College Station, Texas 77843-2143
Phone (979) 845-5855
Fax (979) 845-5926
Email: rgold@ag.tamu.edu

## SECTION 166.20(a)(2): DESCRIPTION OF PESTICIDE REQUESTED

**Common Chemical Name (Active Ingredient**): Fipronil (0.8 lb ai/gal)

**Trade Name and EPA Reg. No.:** Termidor SC Termiticide/Insecticide (EPA Reg. No. 7969-210)

## SECTION 166.20(a)(3): DESCRIPTION OF PESTICIDE REQUESTED

**(i)** **Sites to be treated**: Apply Termidor® SC termiticide/insecticide (hereafter referred to as "Termidor SC") for crazy ant controlermidor SC container label in the section titled "Directions for use to Control Listed Pests on Outside Surfaces and Along Foundation Perimeter of Listed Structures". This will include applying 0.06% Termidor SC to the structure as a low-pressure coarse spray where ants enter the structure, trail around the structure, or where they crawl and hide. Apply 0.06% Termidor SC around doors, windows, vents, pipes or any other exterior openings (including foundation cracks and drilled holes) where ants could enter the structure. Treat the joint where exterior siding (wood, vinyl, aluminum, etc) meets the cement, block or brick foundation. Treat areas where wires (electrical, telephone or cable) enter the structure. Foam treatments can be made to structural voids where ants may enter, trail or nest. Mounds or nests in the ground associated with these structures can be treated directly.

(ii) **Method of Application:** Treatments should be made as a general surface spray (coarse flat fan), crack and crevice spray or wall void application. For exterior perimeter treatments, apply 0.06% Termidor SC to surfaces up to but not to exceed 3 ft. up and 10 ft. of sod out from the foundation. Mounds or nests may be treated directly.

(iii) **Rate of application: A**pply Termidor SC at a rate of 0.06% Termidor SC finished spray dilution to the target area. This rate is equivalent to: 1.2 fl.oz. of product per 1.5 gallons of water to treat 1000 sq. ft. or 0.0075 lb ai/1000 sq. ft. or 0.0000075 lb ai/sq. ft. or 0.0012 fl.oz. product/sq. ft.

(iv) **Maximum number of Applications: Up to** 2 applications per structure per year with a minimum application interval of 60 days between treatments.

(v) **Treatment locations:** For control of crazy ant species associated with man-made structures in Texas in the counties of Bexar, Brazoria, Brazos, Cameron, Chambers, Comal, Fort Bend, Galveston, Hardin, Harris, Hidalgo, Jefferson, Jim Hogg, Liberty, Matagorda, Montgomery, Nueces, Orange, Polk, Travis, Walker, Wharton, and Williamson. Note: Other counties in Texas where this ant species has been identified and confirmed to occur may also need to be approved by special permission.

(vi) **Total Amount of Pesticide to be used:** This will depend on how many structures are treated and what size they are.

(vii) **Restrictions:** Refer to the **Termidor SC** container label for First Aid, Precautionary Statements, Directions for Use and Conditions of Sale and Warranty information. It is a violation of federal law to use this product in a manner that is inconsistent with all applicable label directions, restrictions and precautions found in the container label and this supplemental label. Both the container label and this supplemental Section 18 Quarantine Exemption label must be in the possession of the user at the time of application.

- Applicable restrictions and requirements concerning the proposed use and the qualifications of applicators using Termidor SC are as follows:

- All applicable directions, precautions and restrictions on the EPA approved container and Section 18 Quarantine Exemption labels must be followed.

- This Section 18 Quarantine Exemption label must be in the possession of the user at the time of the pesticide application.

- Mixers / loaders and applicators must wear long-sleeved shirt and long pants, socks, shoes, and chemical-resistant gloves. Follow manufacturer's instructions for cleaning and maintaining PPE. If no instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry. Discard clothing or other absorbent materials that have been drenched or heavily contaminated with this product's concentrate. Do Not reuse them.

- Read and follow "DIRECTIONS FOR USE" and "MIXING INSTRUCTIONS" sections of the label for Termidor SC for essential product information.

Do not treat soil that is water saturated or frozen. Do not make treatments while precipitation is occurring. Do not apply within 15 feet of bodies of fresh water and 60 feet of estuarine bodies of water.

APPLICATION INFORMATION

For the control of crazy ant species associated with man-made structures in the state of Texas within the counties of Bexar, Brazoria, Brazos, Cameron, Chambers, Comal, Fort Bend, Galveston, Hardin, Harris, Hidalgo, Jefferson, Jim Hogg, Liberty, Matagorda, Montgomery, Nueses, Orange, Polk, Travis, Walker, Wharton, and Williamson Counties and to include additional counties where positive identification has been made (by Texas A & M Entomologists). Check the Texas Department of Agriculture Web site for the most current list of counties approved for this use.

Apply **Termidor SC** as detailed on the present **Termidor SC** label for perimeter pest control. This will include applying 0.06% **Termidor SC** to the structure as a low-pressure coarse spray where ants enter the structure, trail around the structure, or where they crawl and hide. Apply 0.06% **Termidor SC** around doors, windows, vents, pipes or any other exterior openings (including foundation cracks and drilled holes) where ants could enter the structure. Treat the joint where exterior siding (wood, vinyl, aluminum, etc) meets the cement, block or brick foundation. Treat up to 10 feet around areas where wires (electrical, telephone or cable) enter the structure. Foam treatments can be made to structural voids where ants may enter, trail or nest.

Treatments should be made as a general surface spray (coarse flat fan), crack and crevice spray or wall void application. For exterior perimeter treatments, apply 0.06% Termidor SC to surfaces up to but not to exceed 3 ft. up and 10 ft. out from foundation.

Any adverse effects resulting from the use of fipronil (Termidor SC Termiticide/Insecticide) under this emergency exemption must be immediately reported to the Texas Department of Agriculture.

Fipronil (Termidor SC) shall be applied only by certified pest control operators (PCO). The PCO must be certified in a category applicable to the application of this product

It is a violation of federal law to use this product in a manner inconsistent with its labeling. All applicable directions, restrictions, precautions and Conditions of Sale and Warranty on the EPA-registered label for Termidor® SC Termiticide/Insecticide (EPA Reg. No 7969-210) must be followed. The registered label and the Section 18 Quarantine Exemption Use Directions must be in the possession of the user at the time of application.

Apply **Termidor SC** as detailed on the present **Termidor SC** label for nuisance ant control. This will include applying 0.06% **Termidor SC** to the structure as a low-pressure coarse spray where ants enter the structure, trail around the structure, or where they crawl and hide. Apply 0.06% **Termidor SC** around doors, windows, vents, pipes or any other exterior openings (including foundation cracks and drilled holes) where ants could enter the structure. Treat the joint where exterior siding (wood, vinyl, aluminum, etc) meets the cement, block or brick foundation. Treat areas where wires (electrical, telephone or cable) enter the structure. Foam treatments can be made to structural voids where ants may enter, trail or nest.

Treatments should be made as a general surface spray (coarse flat fan to the point of run off), crack and crevice spray or wall void application. For exterior perimeter treatments, apply 0.06% Termidor SC to surfaces up to but not to exceed 3 ft. up and 10 ft. out from foundation. . Nests found associated with structures can be treated directly.

In addition to the precautions taken by certified applicators, the Texas Department of Agriculture will develop a program to monitor surface water sources in the treatment area by sampling public water intake locations. The monitoring program will consist of random duplicate samples from five preferred intakes at least once per year following the peak use season.

**(viii)** **Duration of proposed use:** Termidor SC should be available in Texas for three years following the approval date to provide control and then be evaluated for efficacy. Treatments will be made in early Spring with a second treatment 180 days later.

(ix) **Earliest harvest date:** Not Applicable

## Section 166.20(a)(4): ALTERNATIVE METHODS OF CONTROL

**Registered Alternative Pesticides:**

Several products are available with ants as the pest on the label, however none of the registered products have proved to be effective on this species according local expert Dr. Roger Gold at Texas A&M University, who has conducted many efficacy trials. Reports have come in where a product may have caused some mortality in ants but the ants responded by moving the dead ant bodies to cover up the pesticide spray residue and with a bridge of dead ants, they pass over it to safe untreated areas.

At the present time there appears to be 2 options that are possible. The first option would be to approve Acephate for a sod treatment where the ants are present and building nests. This is the best option since it is aimed at the nest location where the reproduction is taking place for the infestation.

Another adoption is through the use of baits. These need more research in general but would involve formulating a bait that is acceptable to the ant and then to incorporate a product that ants would pick up and carry to the nest and feed to the queen before it kills the carrier ants. The best example of this is fipronil. Another group of products would be the insect growth regulators (IGR). The IGR's will need to be developed with research and that will not be ready for a while yet. In the mean time, either fipronil or acephate will need to pick up the slack until another product is available.

## Section 166.20(a)(5): EFFICACY OF USE PROPOSED UNDER SECTION 18

Termidor SC was evaluated for crazy ant control by Dr. Roger Gold (Texas A&M University) in 2007. See Section 6 for the efficacy data to support the request.

Dr. Gold at Texas A&M University has tested the following treatments with the following results:

Fipronil (labeled rates/1ft up/1 ft out) (ants walked over the cadavers)
Fipronil and Phantom as the inside out program labeled by BASF (it worked for a short time)
Bifenthrin (Talstar) (effective for a few days)
Orthene (effective, but not labeled for homes)
Acetamiprid (effective a few days)
Merit (imidacloprid) (good in controlling honey dew producers which favored ant survival, but no effects on main populations of ants)
Extinguish Ant Bait (would not accept the bait)
Max Force Ant Bait (hydramethylnon) (would not take it)
Whitmire Advance Carpenter Ant Bait (would feed on it, but baits were consumed too fast by large populations of ants)
New Max Force Fire Ant Bait (would not take it).

Roger E. Gold, Ph.D.
Professor & Endowed Chair
Department of Entomology
Texas A&M University

## Section 166.20(a)(6): EXPECTED RESIDUE LEVELS IN FOOD

There should not be any residue levels in food since the product is not being applied to food crops. In addition, both the container and Section 18 Quarantine Exemption labels state " Do Not treat within a distance of one foot out from the drip line of edible plants."

## Section 166.20(a)(7): DISCUSSION OF RISK INFORMATION

This section is prepared by the TDA Agriculture and Consumer Protection Division:
Human Health Effects - Michael Hare, *Ph.D.*
Ecological Effects - David Villarreal, *Ph.D.*
Environmental Fate - David Villarreal, *Ph.D.*

SUBJECT: Section 18 Application: Risk assessment of Fipronil in soil and lawns for control of crazy ants.

Fipronil is a broad-spectrum insecticide belonging to the pheylpyrazole class of insecticides. The toxicology database provides evidence of potential neurotoxicity and alterations in the thyroid-pituitary hormonal levels and thyroid follicular cell tumors. This discussion of risk information evaluates the impact of fipronil use on soil and lawns to control crazy ants as delineated here in this FIFRA Section 18 Emergency application.

### HUMAN HEALTH

**Toxicological Profile**

**Acute toxicity.** Fipronil exhibits low to moderate toxicity, depending on the route of exposure and the species used. Fipronil has moderate acute toxicity by the oral and inhalation routes in rats. By the dermal route, it is of moderate toxicity in rabbits, and low toxicity in rats. Fipronil technical is relatively non-irritating to the skin and eye and is not a sensitizer. Dermal absorption in rats is less than 1%.

| | | | |
|---|---|---|---|
| Oral LD50 | Rat | LD50 = 97 mg/kg b.w. | category II/(moderately toxic) |
| Dermal LD50 | Rat | LD50 >2,000 mg/kg b.w. | category III (slightly toxic) |
| Dermal LD50 | Rabbit | LD50 = 354 mg/kg b.w. | category II(moderately toxic) |
| Inhalation LC50 | Rat | LC50 = 0.39 mg/L | category II(moderately toxic) |
| Eye Irritation | Rabbit | slight irritation | category III |
| Skin Irritation | Rabbit | slight irritation | category IV |
| Skin Sensitization | Guinea pig | Not sensitizing | |
| Acute Neurotoxicity | Rat | NOAEL = 2.5 mg/kg/day | (for general toxicity) |

**Genotoxicity.** Fipronil was negative in both *in vitro* and *in vivo* assays of gene mutations, DNA damage, and chromosomal aberrations.

**Reproductive and developmental toxicity.** The developmental toxicity NOELs in the rat and rabbit were 20 mg/kg/day and 1 mg/kg/day, respectively. Maternal toxicity was observed in the rat at 20 mg/kg/day. In the rabbit, the maternal toxicity NOAEL was less than 0.1 mg/kg/day. In a two-generation rat study, the NOEL for parental toxicity was 0.26 mg/kg/day for both sexes combined. The NOEL for reproductive toxicity was 2.64 mg/kg/day for both sexes combined. In a developmental neurotoxicity

study in the rat, the NOAEL for maternal toxicity was 0.91 mg/kg/day. The NOAEL for general developmental toxicity was 0.05 mg/kg/day.

Although there is no evidence of enhanced pre- or postnatal susceptibility in infants and children in the developmental and reproduction studies, the developmental NOEL is less than the maternal NOEL, indicating an apparent susceptibility issue.

**Subchronic toxicity.** The NOAEL in rat was 0.35 mg/kg/day for both sexes combined. The NOAEL in dog were 2 and 0.5 mg/kg/day for males and females, respectively. The NOAEL for mice was 1.27 and 1.72 mg/kg/day for males and females, respectively. A repeated dose dermal study in the rabbit had a NOAEL of 5 mg/kg/day. In a subchronic neurotoxicity study in rats, the NOEL was 0.301 and 0.351 mg/kg/day for males and females, respectively.

**Chronic toxicity.** The NOAEL in a 1-year feeding study in the dog was 0.3 mg/kg/day in females and 1 mg/kg/day in males. The NOAEL for systemic toxicity in mice was 0.06 mg/kg/day. Fipronil was not carcinogenic when administrated to mice. The NOAEL in a 2-year dietary study in the rat was 0.019 and 0.025 mg/kg/day for males and females, respectively. EPA classified fipronil in Group C - Possible Human Carcinogen, based on thyroid tumors observed in rats. Mechanistic data indicate that these tumors are related to a disruption in the thyroid-pituitary status and are specific to the rat. In addition, there was no apparent concern for mutagenic activity.

**Exposure Assessment**

**Dietary exposure from drinking water.** Based on the Pesticide Root Zone Model/Exposure Analysis Modeling System (PRZM/EXAMS) and Screening Concentration in Ground Water (SCI-GROW) models, the estimated environmental concentrations (EECs) of fipronil for acute exposures are 2.654 ppb for surface water and 0.021 ppb for ground water. The EECs for chronic exposures are 0.3179 ppb for surface water and 0.021 ppb for ground water.

For acute dietary risk assessment, the water concentration value of 2.654 ppb was used to assess the contribution to drinking water. For chronic dietary risk assessment, the water concentration value of 0.3179 ppb was used to assess the contribution to drinking water.

**Non-dietary exposure.** Fipronil is currently registered for use on cats and dogs for flea control and on turf to control fire ants. Pet uses result in the highest estimated handler exposure. Since more exposure is expected from the pet care spray product, exposure to the spray product represents the worst case for all residential scenarios. For post-application risk, the use on pets is used to estimate exposure to toddlers. Adult post-application exposure is considered negligible.

**Pet products.** EPA determined the dermal and inhalation exposure for residential applicators were $3.0 \times 10^{-3}$ mg/kg bw/day and $1.78 \times 10^{-6}$ mg/kg bw/day, respectively. The non-dietary, oral (hand to mouth) was estimated to be no greater than $3.0 \times 10^{-5}$ mg/kg bw/day. The post-application dermal exposure for toddlers was estimated to be $1.0 \times 10^{-3}$ mg/kg bw/day. The MOEs for all exposure scenarios evaluated were greater than 1500.

**Fire ant products.** The applicator exposure was determined using the ``Draft Standard Operating Procedures for Residential Exposure''. The greatest homeowner applicator exposure was calculated from the application of the granular product with a drop spreader. The average daily dose for dermal and inhalation exposure were $6.0 \times 10^{-4}$ mg/kg bw/day and $1.3 \times 10^{-6}$ mg/kg bw/day, respectively. The MOEs for all exposure scenarios were >= 8,000.

Post-application from the fire ant granular products can occur from dermal exposure and ingestion of granules from treated soil and/or ingestion of treated soil by children. EPA has concluded that fipronil cannot be dislodged from treated turf and post-application exposure from turf will not occur. The

calculated exposure to children from the ingestion of granules in the treated area to be $2.8 \times 10^{-3}$ mg/kg bw/day which resulted in a MOE of 890. The post-application exposure to children from ingestion of treated soil was calculated to be $1.2 \times 10^{-6}$ mg/kg bw/day which resulted in a MOE of 83,000. EPA concluded that there are no risk concerns for fipronil from residential uses.

**Cumulative Effects**
EPA is currently developing methodology to perform cumulative risk assessments. At this time, there are no available data to determine whether fipronil has a common mechanism of toxicity with other substances or how to include this pesticide in a cumulative risk assessment.

**Aggregate Risks and Determination of Safety**
**Acute risk.** The acute dietary exposure from food and water to fipronil will occupy 25% of the aPAD for the population group (children 1-2 years old) receiving the greatest exposure.

**Chronic risk.** Exposure to fipronil from food and water will utilize 96% of the cPAD for the population group (children 1-2 years old). Based on the use pattern, chronic residential exposure to fipronil is not expected.

**Short-term risk.** Short-term aggregate exposure takes into account residential exposure plus chronic exposure to food and water. Fipronil is currently registered for uses that could result in short-term residential exposure, and EPA has determined that it is appropriate to aggregate chronic food and water and short-term exposures for fipronil. Post-application exposure from the use on pets is considered short-term. Therefore, a short-term aggregate risk assessment was conducted, using children with combined dermal and oral exposures from pet uses as a worst case. The aggregate ARI from food, water, and non-occupational exposures is 1.5 and do not exceed the level of concern. Adult post-application risk is considered negligible and so an aggregate risk assessment for adults is not considered necessary.

**Intermediate-term risk.** Intermediate-term risk to children is not expected to be higher than short-term risk due to the lack of inhalation exposure and a soil ingestion MOE of 1 million.

**Safety Determination**
There are no residual uncertainties identified in the exposure databases. The dietary food exposure assessments were performed based on 100% crop treated and anticipated residues were used. Conservative ground and surface water modeling estimates were used. Similarly conservative Residential Standard Operating Procedures were used to assess post-application exposure to children as well as incidental oral exposure of toddlers. These assessments will not underestimate the exposure and risks posed by fipronil. It is concluded that there is a reasonable certainty that no harm will result to the general population or to infants or children from the aggregate exposure to fipronil including as a result of it's use subsequent to approval of this section 18 request.

**Summary ecological toxicity and environmental fate**
**of Fipronil and Texas endangered species listing in support of**
**Texas Department of Agriculture's FIFRA Section 18 Application**
**to the US Environmental Protection Agency**

**David T. Villarreal, Ph.D September 13, 2012**

## ECOLOGICAL TOXICITY

Fipronil is a broad-spectrum insecticide belonging to the pheylpyrazole class and controls a very broad spectrum of insects It is effective at low application rates, including controlling insects that are resistant to pyrethroids, organophosphates and carbamate pesticides. This compound acts by disruption of nerve cell transmission in susceptible organisms, which includes beneficial insects as well as pests, both in the larval and adult stages. This insecticide is highly toxic to many aquatic species besides insects and is known to bioaccumlate. Mysid shrimp are negatively impacted at ppt levels while daphnia and bluegill sunfish are affected at ppb levels. Crayfish are also affected at ppb amounts. This pesticide has been found to be toxic to some avian species. Honeybees are also sensitive to this chemical. The major degradates of this compound also appear to have toxicological properties similar to the parent. However, the very limited use of this compound prescribed in the Section 18 application around structures in only 23 counties will limit the negative impacts of this use to beneficial insects and non-target species. Strict adherence to the label is warranted to prevent loss of non-target species and Texas wildlife in the area of the spraying. Drift must be minimized as much as possible, as well as limited use during possible rain events to prevent runoff to nearby creeks and other waterways. Extreme care should be taken when applying this pesticide to structures adjacent to water bodies.

## ENVIRONMENTAL FATE

Fipronil is a primarily formulated as a bait, spray, or granulated product. It is low to moderately soluble in water, not very volatile, and is primarily degraded through photolysis to a small number of major metabolites. Hydrolysis plays a more limited role in the degradation of this compound. It has varying biotic half-lives depending on the soil environment and whether oxygen is present or not in biologically significant amounts. It is relatively mobile in soils, confirmed by leaching studies. Tests reveal it has low to moderate absorption to soil material. Throughout the US, monitoring activities reveal it and the major degradation products are detectable at low levels in urban and agricultural areas. Overall this monitoring work shows fipronil and its metabolites have low to moderate persistence in the environment. For these reasons, caution should be used when applying this pesticide in accordance with label directions. Nearby water bodies are potentially at risk due to incorrect use of this product. Drift and runoff must be strictly minimized to avoid harm to Texas species and natural ecosystems. To prevent groundwater contaminations follow all label directions carefully, and avoid use on permeable soils and where shallow groundwater is present. Drift and runoff should be strictly minimized as directed on the label. This pesticide should not be applied when areas of concern are downwind of the application area and during periods of high winds.

## LIST OF ENDANGERED AND THREATENED SPECIES FOR THE 23 COUNTIES OF THIS SECTION 18 APPLICATION

The use of any pesticide in a manner that may kill or otherwise harm an endangered species or adversely modify their habitat is a violation of federal law. Applications within residential areas and close to structures as called for here in this Section 18 application will not have adverse impacts to federally listed birds, mammals, reptiles, amphibians, or insects. Below is a complete listing of the threatened and endangered species found in the 23 counties discussed in the Section 18 application. No harm is anticipated with use of this insecticide as directed on the labels.

USFWS Species Status Codes

A series of codes has been developed to identify the current status of each listed species in our endangered species database. See below for descriptions of some of the more commonly used codes.

**E** = endangered. A species "in danger of extinction throughout all or a significant portion of its range."

**T** = threatened. A species "likely to become endangered within the foreseeable future throughout all or a significant portion of its range."

**C** = candidate. A species under consideration for official listing for which there is sufficient information to support listing.

**SAE, E(S/A)** = endangered due to similarity of appearance. A species that is endangered due to similarity of appearance with another listed species and is listed for its protection. Species listed as E(S/A) are not biologically endangered or threatened and are not subject to Section 7 consultation.

**SAT, T(S/A)** = threatened due to similarity of appearance. A species that is threatened due to similarity of appearance with another listed species and is listed for its protection. Species listed as T(S/A) are not biologically endangered or threatened and are not subject to Section 7 consultation.

**EXPE, XE** = experimental essential population. A species listed as experimental and essential. EXPN, XN = experimental non-essential population. A species listed as experimental and non-essential. Experimental, nonessential populations of endangered species (e.g., red wolf) are treated as threatened species on public land, for consultation purposes, and as species proposed for listing on private land.

**PE** = proposed endangered. Species proposed for official listing as endangered.

**PT** = proposed threatened. Species proposed for official listing as threatened.

**PEXPE, PXE** = proposed experimental population, essential. Species proposed for official listing as experimental and essential.

**PEXPN, PXN** = proposed experimental population, non-essential. Species proposed for official listing as experimental and non-essential.

**PSAE, PE (S/A)** = proposed endangered, due to similarity of appearance. Species proposed for official listing as endangered due to similarity of appearance with another listed species.

**PSAT, PT (S/A)** = proposed threatened, due to similarity of appearance. Species proposed for official listing as threatened due to similarity of appearance with another listed species.

**Emergency Endangered** - A temporary (240 days) listing for emergency purposes when species is at significant, immediate risk.

**Delisted** - Species that has been removed from the list due to recovery, original data in error, or extinction.

**Species of Concern (SC)** - Species that have not been petitioned or been given E, T, or C status but have been identified as important to monitor.

**Resolved Taxon (RT)** - Species that have been petitioned for listing and for which a Not Warranted 12 month finding or Not Substantial 90-day finding has been published in the Federal Register. Also includes species that have been removed from the candidate list.

**Under Review (UR)** - Species that have been petitioned for listing and for which a 90-day finding has not been published or for which a 90-day substantial has been published but a 12 Month finding have not yet been published in the Federal Register. Also includes species that are being reviewed through the candidate process, but the CNOR has not yet been signed.

**Format for each county**
**Common Name Scientific Name Species Type Status Code (see key above)**

**Bexar County**
[unnamed] ground beetle *Rhadine exilis* Insects E
[unnamed] ground beetle *Rhadine infernalis* Insects E
Black-capped Vireo Vireo *atricapilla* Birds E
Braken Bat Cave Meshweaver *Cicurina venii* Arachnids E
Cokendolpher Cave Harvestman *Texella cokendolpheri* Arachnids E
Comal Springs dryopid beetle *Stygoparnus comalensis* Insects E
Comal Springs riffle beetle *Heterelmis comalensis* Insects E
Fountain darter *Etheostoma fonticola* Fishes E
Golden-cheeked warbler (=wood) *Dendroica chrysoparia* Birds E
Government Canyon Bat Cave Meshweaver *Cicurina vespera* Arachnids E
Government Canyon Bat Cave Spider *Neoleptoneta microps* Arachnids E
Helotes mold beetle *Batrisodes venyivi* Insects E
Madla's Cave Meshweaver *Cicurina madla* Arachnids E
Mountain plover *Charadrius montanus* Birds PT
Peck's cave amphipod *Stygobromus (=Stygonectes) pecki* Crustaceans E
Robber Baron Cave Meshweaver *Cicurina baronia* Arachnids E
San Marcos salamander *Eurycea nana* Amphibians T
Texas blind salamander *Typhlomolge rathbuni* Amphibians E
Texas wild-rice *Zizania texana* Flowering Plants E
Whooping crane *Grus americana* Birds E, EXPN

**Brazoria County**
Brown pelican *Pelecanus occidentalis* Birds DM
Green sea turtle *Chelonia mydas* Reptiles E, T
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E
Loggerhead sea turtle *Caretta caretta* Reptiles T
Piping Plover *Charadrius melodus* Birds E, T
Whooping crane *Grus americana* Birds E, EXPN

**Brazos County**
Navasota ladies'-tresses *Spiranthes parksii* Flowering Plants E
Whooping crane *Grus americana* Birds E, EXPN

**Cameron County**
Brown pelican *Pelecanus occidentalis* Birds DM
Green sea turtle *Chelonia mydas* Reptiles E, T
Gulf Coast jaguarundi *Herpailurus (=Felis) yagouaroundi cacomitl*i Mammals E
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E

Loggerhead sea turtle *Caretta caretta* Reptiles T
Mountain plover *Charadrius montanus* Birds PT
Northern aplomado falcon *Falco femoralis septentrionalis* Birds E
Ocelot *Leopardus (=Felis) pardalis* Mammals E
Piping Plover *Charadrius melodus* Birds E, T
South Texas ambrosia *Ambrosia cheiranthifolia* Flowering Plants E
Texas ayenia *Ayenia limitaris* Flowering Plants E
West Indian Manatee *Trichechus manatus* Mammals E

**Chambers County**
Brown pelican *Pelecanus occidentalis* Birds DM
Green sea turtle *Chelonia mydas* Reptiles E, T
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E
Loggerhead sea turtle *Caretta caretta* Reptiles T
Piping Plover *Charadrius melodus* Birds E, T

**Comal County**
Black-capped Vireo *Vireo atricapilla* Birds E
Comal Springs dryopid beetle *Stygoparnus comalensis* Insects E
Comal Springs riffle beetle *Heterelmis comalensis* Insects E
Fountain darter *Etheostoma fonticola* Fishes E
Golden-cheeked warbler (=wood) *Dendroica chrysoparia* Birds E
Peck's cave amphipod *Stygobromus (=Stygonectes) pecki* Crustaceans E
San Marcos salamander *Eurycea nana* Amphibians T
Texas blind salamander *Typhlomolge rathbuni* Amphibians E
Texas wild-rice *Zizania texana* Flowering Plants E
Whooping crane *Grus americana* Birds E, EXPN

**Fort Bend County**
Texas prairie dawn-flower *Hymenoxys texana* Flowering Plants E
Whooping crane *Grus americana* Birds E, EXPN

**Galveston County**
Brown pelican *Pelecanus occidentalis* Birds DM
Eskimo curlew *Numenius borealis* Birds E
Green sea turtle *Chelonia mydas* Reptiles E, T
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E
Loggerhead sea turtle *Caretta caretta* Reptiles T
Piping Plover *Charadrius melodus* Birds E, T

**Hardin County**
Red-cockaded woodpecker *Picoides borealis* Birds E

Texas trailing phlox *Phlox nivalis ssp. texensis* Flowering Plants E

**Harris County**
Texas prairie dawn-flower *Hymenoxys texana* Flowering Plants E

**Hidalgo County**
Gulf Coast jaguarundi *Herpailurus (=Felis) yagouaroundi cacomitli* Mammals E
Mountain plover *Charadrius montanus* Birds PT
Northern aplomado falcon *Falco femoralis septentrionalis* Birds E
Ocelot *Leopardus (=Felis) pardalis* Mammals E
Star cactus *Astrophytum asterias* Flowering Plants E
Texas ayenia *Ayenia limitaris* Flowering Plants E
Walker's manioc *Manihot walkerae* Flowering Plants E

**Jefferson County**
Green sea turtle *Chelonia mydas* Reptiles E, T
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E
Loggerhead sea turtle *Caretta caretta* Reptiles T
Piping Plover *Charadrius melodus* Birds E, T

**Jim Hogg County**
Gulf Coast jaguarundi *Herpailurus (=Felis) yagouaroundi cacomitli* Mammals E
Ocelot *Leopardus (=Felis) pardalis* Mammals E

**Liberty County**
Red-cockaded woodpecker *Picoides borealis* Birds E

**Matagorda County**
Brown pelican *Pelecanus occidentalis* Birds DM
Green sea turtle *Chelonia mydas* Reptiles E, T
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E
Loggerhead sea turtle *Caretta caretta* Reptiles T
Northern aplomado falcon *Falco femoralis septentrionalis* Birds E
Piping Plover *Charadrius melodus* Birds E, T
Whooping crane *Grus americana* Birds E, EXPN

**Montgomery County**
Red-cockaded woodpecker *Picoides borealis* Birds E

**Nueces County**
Brown pelican *Pelecanus occidentalis* Birds DM
Green sea turtle *Chelonia mydas* Reptiles E, T

Gulf Coast jaguarundi *Herpailurus (=Felis) yagouaroundi cacomitli* Mammals E
Hawksbill sea turtle *Eretmochelys imbricata* Reptiles E
Kemp's ridley sea turtle *Lepidochelys kempii* Reptiles E
Leatherback sea turtle *Dermochelys coriacea* Reptiles E
Loggerhead sea turtle *Caretta caretta* Reptiles T
Mountain plover *Charadrius montanus* Birds PT
Ocelot *Leopardus (=Felis) pardalis* Mammals E
Piping Plover *Charadrius melodus* Birds E, T
Slender rush-pea *Hoffmannseggia tenella* Flowering Plants E
South Texas ambrosia *Ambrosia cheiranthifolia* Flowering Plants E
West Indian Manatee *Trichechus manatus* Mammals E
Whooping crane *Grus americana* Birds E, EXPN

**Orange County**
Piping Plover *Charadrius melodus* Birds E,
Red wolf *Canis rufus* Mammal E
Louisiana black bear *Ursus americanus luteolus* Mammal T

**Polk County**
Red-cockaded woodpecker *Picoides borealis* Birds E
Texas trailing phlox *Phlox nivalis ssp. texensis* Flowering Plants E

**Travis County**
Austin blind Salamander Eurycea waterlooensis Amphibians C
Barton Springs salamander *Eurycea sosorum* Amphibians E
Bee Creek Cave harvestman *Texella reddelli* Arachnids E
Black-capped Vireo *Vireo atricapilla* Birds E
Bone Cave harvestman *Texella reyesi* Arachnids E
Golden-cheeked warbler (=wood) *Dendroica chrysoparia* Birds E
Jollyville Plateau Salamander *Eurycea tonkawae* Amphibians C
Kretschmarr Cave mold beetle *Texamaurops reddelli* Insects E
Mountain plover *Charadrius montanus* Birds PT
Tooth Cave ground beetle *Rhadine persephone* Insects E
Tooth Cave pseudoscorpion *Tartarocreagris texana* Arachnids E
Tooth Cave spider *Leptoneta myopica* Arachnids E
Warton's cave meshweaver *Cicurina wartoni* Arachnids C
Whooping crane *Grus americana* Birds E, EXPN

**Walker County**
Red-cockaded woodpecker *Picoides borealis* Birds E

**Wharton County**
Whooping crane *Grus americana* Birds E, EXPN

**Williamson County**
Black-capped Vireo Vireo atricapilla Birds E

Bone Cave harvestman Texella reyesi Arachnids E
Coffin Cave mold beetle Batrisodes texanus Insects E
Georgetown Salamander *Eurycea naufragia* Amphibians C
Golden-cheeked warbler (=wood) *Dendroica chrysoparia* Birds E
Jollyville Plateau Salamander *Eurycea tonkawae* Amphibians C
Mountain plover *Charadrius montanus* Birds PT
Tooth Cave ground beetle *Rhadine persephone* Insects E
Whooping crane *Grus americana* Birds E, EXPN

## Section 166.20(a)(8): COORDINATION WITH OTHER AFFECTED FEDERAL, STATE AND LOCAL AGENCIES

The following state/federal agencies were notified of the Texas Department of Agriculture's (TDA) actions to submit an application for a specific exemption to EPA:

- Texas Commission on Environmental Quality (TCEQ), Air Quality Control
- Texas Commission on Environmental Quality (TCEQ), Water Quality
- Texas Parks and Wildlife Department
- U.S. Fish and Wildlife Department

Responses from these agencies will be forwarded to EPA immediately if and when received by TDA.

## Section 166.20(a)(9): NOTIFICATION OF REGISTRANT

BASF has been notified of this agency's intent regarding this application.

## Section 166.20(a)(10): ENFORCEMENT PROGRAM

The State Legislature has endowed the TDA with the authority to regulate the distribution, storage, sale, use and disposal of pesticides in the state of Texas. In addition, the EPA/TDA grant enforcement agreement provides the Department with the authority to enforce the provisions of the FIFRA, as amended, within the state. Therefore, the Department is not lacking in authority to enforce the provisions of an EPA approved specific exemption. If this quarantine exemption request is approved, TDA

Pesticide Enforcement Specialists will make a number of random, unannounced calls on growers to check for compliance with provisions of the specific exemption. If violations are discovered appropriate enforcement will be taken.

## Section 166.20(a)(11): REPEAT USES

This is the second time TDA has applied for this quarantine exemption. There should be no problems with this expanded use since there are registrations for this product to be used by the licensed Pest Control Operators (PCO) for residential use as a termite product and for fire ants as a quarantine treatment by USDA.

## Section 166.20(c): INFORMATION REQUIRED FOR A QUARANTINE EXEMPTION

(1) Scientific and Common Name of the Pests to be controlled:
Carribean crazy ant: (*Paratrechina* spp. nr. *pubens/fulva*)
Rasberry crazy ant (synonym)

(2) Origin of Pest: Unknown

(3) Anticipated Impact of Not Controlling the Pest:
At the present time there are no selective insecticides available for controlling the crazy ant in Texas that are effective for any period of time. The most effective product is **Termidor SC** (fipronil).

The potential economic loss from infestations of this ant are huge. The number of truck shipments that leave Texas or with loads going to other destinations are very large. Any of these trucks would be carrying crazy ants if from the infested area. If the ant spreads across Texas, then potentially all trucks could be transporting ants to un-infested areas. The number of trucks that traveled from Texas with plant shipments or other cargo (pallets, machinery, steel, packaged food etc) to out of state locations that were stopped and rejected and sent back to the origin or were treated on site were as follows.

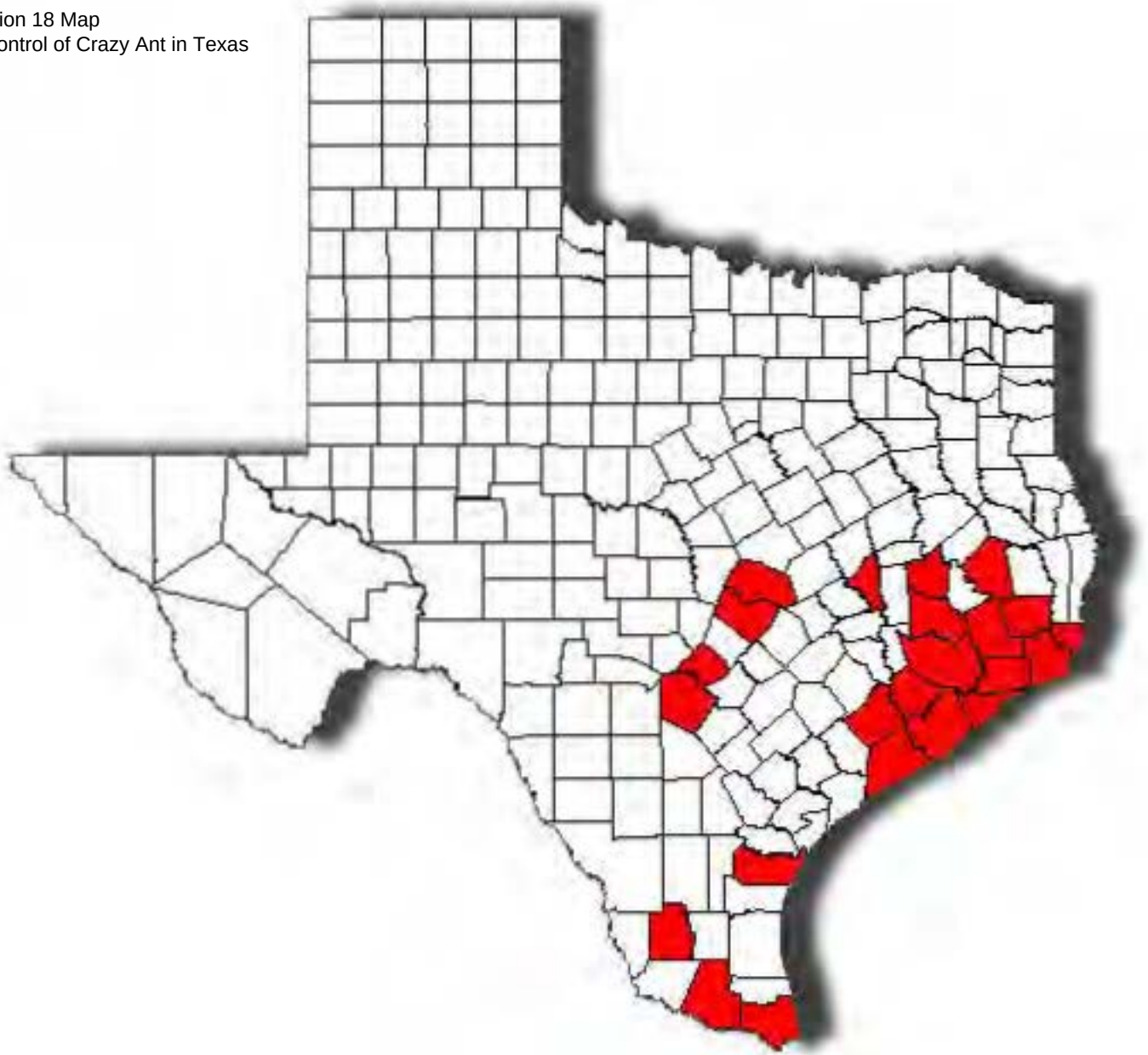
The potential still exists for the pest to become established on the space station or on a space flight in the future as well as on commercial airlines where the failure of electronic instruments are responsible in failure of necessary equipment that could result in the catastrophic crash of an airline in the future. We are making every attempt to be proactive and to keep this from happening.

If the crazy ant were to infest the Johnson Space Center and was to get out of control, the NASA operations would have to be moved to Alabama which would cost hundreds of million of dollars. In addition, costs to control this pest need to be considered in the present area where it occurs in the residential areas. The effects so far involves the following:

The loss of house sales due to ant infestations.
The loss of car sales due to ants infesting the cars.
Computers lost to ants shorting them out at businesses.
Electronic systems failure in businesses and industry in the area.
Homeowner costs to treat their infestations unsuccessfully.
Cost to homeowners to have commercial treatments applied.
Cost for surveillance of the ant spread around homes and businesses.
Cost for businesses to relocate due to crazy ant.
Treatment costs to protect the endangered Attwaters prairie chicken.
Treatment cost to control around the Hobby International airport.

The bottom line treatment costs and effect from this pest has been discussed with Tom Rasberry, PCO in the area who knows the extent of treatments and how much it has cost individuals and businesses. The conservative estimate is $30 million in loss damages.

Section 18 Map
Fipronil for the control of Crazy Ant in Texas



# TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

September 18, 2012

Mr. Adam Zerrenner
Assistant Field Supervisor
U.S. Fish and Wildlife Service
Hartland Bank Building
10711 Burnet Road, Ste.200
Austin, Texas 78758

Mr. Zerrenner:

This is to advise your agency that the Texas Department of Agriculture (TDA) has submitted an application to the U. S. Environmental Protection Agency (EPA) for a quarantine exemption to authorize the use of fipronil formulated as Termidor SC® (EPA Reg. No. 7969-210) for the control of crazy ants around structures in Texas. This action is pursuant to the authority of FIFRA Section 18. More information on this pest can be found at the Center for Urban and Structural Entomology website at the following address:

**http://urbanentomology.tamu.edu/ants/rasberry.html**

Section 166.20(a)(8) of Title 40, Code of Federal Registration requires that your agency be notified of this action. Any comments your agency may have relative to the application noted above should be sent to my attention

If you have any questions, please contact me at (512) 936-2535.

Sincerely yours,

Dale R. Scott
Coordinator for Pesticide Product Evaluation and Registration
Dale.Scott@TexasAgriculture.gov

# TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

September 18, 2012

Dr. Jong Song Lee
MC 168, Toxicology
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dr. Lee:

This is to advise your agency that the Texas Department of Agriculture (TDA) has submitted an application to the U. S. Environmental Protection Agency (EPA) for a quarantine exemption to authorize the use of fipronil formulated as Termidor SC® (EPA Reg. No. 7969-210) for the control of crazy ants around structures in Texas. This action is pursuant to the authority of FIFRA Section 18. More information on this pest can be found at the Center for Urban and Structural Entomology website at the following address:

**http://urbanentomology.tamu.edu/ants/rasberry.html**

Section 166.20(a)(8) of Title 40, Code of Federal Registration requires that your agency be notified of this action. Any comments your agency may have relative to the application noted above should be sent to my attention

If you have any questions, please contact me at (512) 936-2535.

Sincerely yours,

Dale R. Scott
Coordinator for Pesticide Product Evaluation and Registration
Dale.Scott@TexasAgriculture.gov

# TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

September 18, 2012

Mr. Al Cherepon
Water Planning & Assessment
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Mr. Cherepon:

This is to advise your agency that the Texas Department of Agriculture (TDA) has submitted an application to the U. S. Environmental Protection Agency (EPA) for a quarantine exemption to authorize the use of fipronil formulated as Termidor SC® (EPA Reg. No. 7969-210) for the control of crazy ants around structures in Texas. This action is pursuant to the authority of FIFRA Section 18. More information on this pest can be found at the Center for Urban and Structural Entomology website at the following address:

**http://urbanentomology.tamu.edu/ants/rasberry.html**

Section 166.20(a)(8) of Title 40, Code of Federal Registration requires that your agency be notified of this action. Any comments your agency may have relative to the application noted above should be sent to my attention

If you have any questions, please contact me at (512) 936-2535.

Sincerely yours,

Dale R. Scott
Coordinator for Pesticide Product Evaluation and Registration
Dale.Scott@TexasAgriculture.gov

# TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER

September 18, 2012

Ms. Kathy Boydston
Wildlife Division - Habitat Assessment
Texas Parks & Wildlife Department
4200 Smith School Road
Austin, TX 78744

Ms. Boydston:

This is to advise your agency that the Texas Department of Agriculture (TDA) has submitted an application to the U. S. Environmental Protection Agency (EPA) for a quarantine exemption to authorize the use of fipronil formulated as Termidor SC® (EPA Reg. No. 7969-210) for the control of crazy ants around structures in Texas. This action is pursuant to the authority of FIFRA Section 18. More information on this pest can be found at the Center for Urban and Structural Entomology website at the following address:

**http://urbanentomology.tamu.edu/ants/rasberry.html**

Section 166.20(a)(8) of Title 40, Code of Federal Registration requires that your agency be notified of this action. Any comments your agency may have relative to the application noted above should be sent to my attention

If you have any questions, please contact me at (512) 936-2535.

Sincerely yours,

Dale R. Scott
Coordinator for Pesticide Product Evaluation and Registration
Dale.Scott@TexasAgriculture.gov

AgriLIFE RESEARCH & EXTENSION
Texas A&M System

TEXAS A&M UNIVERSITY

COLLEGE OF AGRICULTURE
AND LIFE SCIENCES

DEPARTMENT OF ENTOMOLOGY

August 29, 2012

**Dale R. Scott**
Coordinator for Pesticide Product Evaluation and Registration
Texas Department of Agriculture
P.O. Box 12847
Austin, TX 78711
(512) 936-2535 Phone
(888) 216-9860 Fax
dale.scott@TexasAgriculture.gov

Dear Mr. Scott:

Through this correspondence, I wish to support the application from BASF for a renewal of the Section 18 renewal for fipronil (Termidor SC) for the control of *Nylandaria* sp. nr. *pubens*. Since the discovery of these ants in 2002, they have continued to spread in Texas and are now confirmed in 22 counties. Based on the research conducted at Texas A&M University, Termidor SC continues to provide control of these invading populations when the expanded label provisions (structural applications of 3 feet up and 10 feet out) are utilized in concert with other IPM practices. We will continue to keep you and TDA informed as new populations are discovered in order to keep the BASF FIFRA Sec. 18 Quarantine Exemption Use Directions current. If you have any questions concerning our support for the Section 18 renewal, please contact me directly.

Sincerely,

Roger E. Gold, Ph.D.
Professor and Endowed Chair
Center for Urban and Structural Entomology
Texas A&M University

Bldg. 1051 Agronomy Rd.
2143 TAMU
College Station, Texas 77843-2143

Tel. 979.845.5855
Fax. 979.845.5926
http://urbanentomology.tamu.edu

BASF
The Chemical Company

**Crop Protection**

September 4, 2012

Mr. Dale Scott
Pesticide Registration Program
Texas Department of Agriculture
1700 N. Congress Avenue, Room 950
Stephen F. Austin Building
Austin, TX 78701

**Re: Termidor® SC termiticide/insecticide, EPA Reg. No. 7969-210**
**Texas Section 18 Crisis Exemption**

Dear Mr. Scott;

BASF Corporation supports the Texas Department of Agriculture's request to extend the use of Termidor SC termiticide/insecticide to control invasive ant species in Texas under a FIFRA Section 18 Exemption. Termidor SC is currently registered for effective prevention and/or control of subterranean termites and perimeter pests.
A draft Section 18 label for Texas coded NVA 2012-04-220-0191, is enclosed for your consideration.

If you have questions or need additional information, please call me at (919) 547-2258 or email judy.fersch@basf.com.

Sincerely,
**BASF Corporation**
**Crop Protection**

Judy Fersch
State Registration Manager

® Registered BASF Corporation

**BASF Corporation**
Crop Protection
26 Davis Drive, PO Box 13528
Research Triangle Park
NC 27709-3528
Tel: (919) 547-2000
www.basf.com/usa

**Helping Make Products Better™**

# FIFRA Sec. 18 Quarantine Exemption Use Directions


**For distribution and use for control of crazy ant species in the state of Texas, under the Quarantine Exemption Use Directions pursuant to Section 18 of FIFRA, as amended.**

**This quarantine exemption expires on November 1, 2015.**

**EPA Reg. No. 7969-210** **EPA File Symbol No. 12TX09**

**Refer to the Termidor® SC Termiticide/ Insecticide main label, EPA Reg. No. 7969-210, for complete Directions For Use and all applicable restrictions and precautions. When following the instructions on this quarantine exemption use directions, the user must have this use directions and the entire Termidor SC container label in possession at the time of pesticide application.**

## Directions For Use

It is a violation of federal law to use this product in a manner inconsistent with its labeling. **DO NOT** apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation.

**Termidor SC shall be applied only by pest control operators and/or commercial or noncommercial pesticide applicators certified in an appropriate use category.** The pesticide applicator may be certified in accordance with Chapter 7, Subchapter C or H of the Texas Department of Agriculture Pesticide Regulations.

## Environmental Hazards

This pesticide is toxic to birds, fish, and aquatic invertebrates. **DO NOT** apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Runoff from treated areas may be hazardous to aquatic organisms in neighboring areas. Care must be taken to avoid runoff. **DO NOT** contaminate water by cleaning equipment or disposal of wastes. **DO NOT** contaminate water when disposing of equipment washwaters.

The use of any pesticide in a manner that may kill or otherwise harm an endangered species or adversely modify their habitat is a violation of federal law.

Any adverse effects resulting from the use of **Termidor SC** under this quarantine exemption must be immediately reported to the Texas Department of Agriculture.

## Application Information

For control of crazy ant species associated with man-made structures in Texas within the counties of Bexar, Brazoria, Brazos, Cameron, Chambers, Comal, Fort Bend, Galveston, Hardin, Harris, Hidalgo, Jefferson, Jim Hogg, Liberty, Matagorda, Montgomery, Nueces, Orange, Polk, Travis, Victoria, Walker, Wharton, Williamson, and to include additional counties where positive identification has been made (by Texas A&M entomologists). **Check the Texas Department of Agriculture Web site for the most current list of counties approved for this use.**

Apply **Termidor** as detailed on the present **Termidor SC** container label for perimeter pest control. This will include applying 0.06% **Termidor SC** finished dilution to the structure exterior as a low-pressure coarse spray where ants enter the structure, trail around the structure, or where they crawl and hide. **Termidor SC** at 0.06% is equivalent to 1.2 ozs product/1.5 gallons to treat 1000 sq ft or 0.0075 lb ai/1000 sq ft or 0.0000075 lb ai/sq ft or 0.0012 oz product/sq ft.

Apply 0.06% **Termidor SC** finished dilution around doors, windows, vents, pipes or any other exterior openings (including foundation cracks and drilled

BASF Corporation
26 Davis Drive, Research Triangle Park, NC 27709

BASF
The Chemical Company

holes) where ants could enter the structure. Treat the joint where exterior siding (wood, vinyl, aluminum, etc.) meets the cement, block or brick foundation.

Treat up to 10 feet around areas where ants are found associated with utility wires (electrical, telephone or cable). Foam treatments can be made to structural voids where ants may enter, trail or nest.

Treatments should be made as a general surface spray (coarse flat fan), crack-and-crevice spray or wall void application. For exterior perimeter treatments, apply 0.06% **Termidor® SC Termiticide/Insecticide** finished dilution to surfaces up to but not to exceed **3 ft up and 10 ft of sod out from the foundation**. Mounds or nests can be treated directly. Broadcast treatments may be applied 2 times per year per structure. Treatments may be made 2 times per year per structure, at intervals of 60 days.

## Use Restrictions

- Only protected applicators wearing personal protective equipment as required by this product use directions may be in the area during application.
- **DO NOT** treat within a distance of one foot out from the drip line of edible plants.
- **DO NOT** contaminate public and private water supplies.
- **DO NOT** contaminate water, food or feed. Cover or remove all exposed food, feed and drinking water.
- **DO NOT** apply to wasp or hornet nests if they are not attached to the structure exterior or inside wall voids.
- **DO NOT** make treatments while precipitation is occurring.
- **DO NOT** allow residents, children, other persons or pets into the immediate area during application. **DO NOT** allow residents, children, other persons or pets into treated area until sprays have dried. After application, the applicator is required to check for leaks resulting in deposition of treatment dilution in locations other than those prescribed on this label. When found, this material must be cleaned up prior to leaving the application site. **DO NOT** allow people or pets to contact contaminated areas or to reoccupy contaminated areas of the structure until the cleanup is completed.
- **DO NOT** spray air conditioning units or air intake vents.
- **DO NOT** use indoors except for applications into wall voids.
- **DO NOT** exceed the maximum of two applications per year.
- **DO NOT** apply to playground equipment and pet quarters.
- **DO NOT** allow applications to run off or drip from treated surface.
- **DO NOT** apply to boat houses, piers and pilings.
- **DO NOT** apply within 5 feet of wells or cisterns.
- **DO NOT** apply to French drains or other permeable drainage.
- Doors and windows adjacent to application site must be closed during surface application.
- **DO NOT** apply within 15 feet of bodies of fresh water: lakes, reservoirs, rivers, permanent streams, marshes, natural ponds and commercial fish ponds. A 15-foot buffer of uniform ground cover must exist between application zone and bodies of fresh water (uniform ground cover is defined as land which supports vegetation of greater than 2 inches in height throughout). **DO NOT** apply within 60 feet of estuarine bodies of water. Estuarine water bodies are brackish tidal water bodies such as bays, mouths of rivers, salt marshes and lagoons.
- **DO NOT** treat soil that is water saturated or frozen.

## Conditions of Sale and Warranty

The **Directions For Use** of this product reflect the opinion of experts based on field use and tests. The directions are believed to be reliable and must be followed carefully. However, it is impossible to eliminate all risks inherently associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or use of the product in a manner inconsistent with its labeling, all of which are beyond the control of BASF CORPORATION ("BASF") or the Seller. To the extent consistent with applicable law, all such risks shall be assumed by the Buyer.

BASF warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes referred to in the **Directions For Use**, subject to the inherent risks, referred to above.

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF FITNESS OR MERCHANTABILITY OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.**

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BUYER'S EXCLUSIVE REMEDY AND BASF'S EXCLUSIVE LIABILITY, WHETHER IN CONTRACT, TORT, NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE OF THE PRODUCT.**

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, BASF AND THE SELLER DISCLAIM ANY LIABILITY FOR CONSEQUENTIAL, EXEMPLARY, SPECIAL OR INDIRECT DAMAGES RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT.**

BASF and the Seller offer this product, and the Buyer and User accept it, subject to the foregoing **Conditions of Sale and Warranty** which may be varied only by agreement in writing signed by a duly authorized representative of BASF. PC309

***Termidor*** *is a registered trademark of BASF.*



007969-00210.20121008b.**NVA 2012-04-220-0191**
Supersedes: NVA 2012-04-220-0128

BASF Corporation
26 Davis Drive
Research Triangle Park, NC 27709

BASF
The Chemical Company